

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

|                                      |   |                              |
|--------------------------------------|---|------------------------------|
| BRANDEN MYKAL COOK,                  | ) | C/A NO. 4:18-00361-MGL-TER   |
|                                      | ) |                              |
| Plaintiff,                           | ) |                              |
|                                      | ) |                              |
| vs.                                  | ) | <b>ORDER DISMISSING</b>      |
|                                      | ) | <b>FIFTH CAUSE OF ACTION</b> |
|                                      | ) | <b>AND REMANDING CASE TO</b> |
| CITY OF NORTH MYRTLE BEACH;          | ) | <b>STATE COURT</b>           |
| CITY OF NORTH MYRTLE BEACH           | ) |                              |
| POLICE DEPARTMENT; and LORIE         | ) |                              |
| HALE, in her capacity as an officer, | ) |                              |
|                                      | ) |                              |
| Defendants.                          | ) |                              |
| _____                                | ) |                              |

This matter is before the Court upon joint motion of the parties requesting any claims brought pursuant to 42 U.S.C. § 1983 (Fifth Cause of Action) be dismissed and the case be remanded back to state court. ECF No. 19. It is hereby

**ORDERED** all claims brought pursuant to 42 U.S.C. § 1983 (Fifth Cause of Action) are hereby **DISMISSED WITHOUT PREJUDICE**. It is

**FURTHER ORDERED** the remaining causes of action, which are brought pursuant to State law, are hereby **REMANDED** back to State Court.

s/ Mary Geiger Lewis  
MARY GEIGER LEWIS  
UNITED STATES DISTRICT JUDGE

January 9, 2019  
Columbia, South Carolina